



W.P(MD)No.14247 of 2026

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

Dated : 20.05.2026

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**THE HONOURABLE MR. JUSTICE D.BHARATHA CHAKRAVARTHY**  
**and**  
**THE HONOURABLE MS.JUSTICE R.POORNIMA**

W.P(MD)No.14247 of 2026

and

WMP(MD)No.10666 of 2026

Sudir

... Petitioner

Vs.

1. The District Collector,  
Kanyakumari District  
At Nagercoil.

2. Assistant Engineer,  
(Water Resource Department),  
Boothapandi, Kanyakumari District.

3. The Tahsildar,  
Tovalai Taluk,  
Boothapandi,  
Kanyakumari District.

...Respondents

PRAYER :- Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Certiorari, calling for the records pertaining to the proceedings of the 2nd Respondent in letter No.Ko14/248-1/2026 dated 11.05.2026 and quash the same.

For Petitioner  
For R1 to R3

: Mr.C.K.M.Appaji  
: Mr.R.Gandhiraj  
Special Government Pleader



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## **ORDER**

(Order of the Court was made by D.BHARATHA CHAKRAVARTHY, J.)

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The writ petition is filed challenging the impugned notice given under Form-III of the Tamil Nadu Protection of Tanks and Eviction of Encroachment Act, 2007.

2. The learned counsel for the petitioner would submit that no opportunity has been granted to the petitioner before passing the order. He would also submit that the survey was not conducted in the presence of the petitioner.

3. When the matter came up for hearing, the learned Special Government Pleader appearing on behalf of the respondents would submit that in this case, already due Form-II has been published and only thereafter Form-III has been issued. In view thereof, since it is alleged that the petitioner has put up his house in a tank, the only relief that can be granted is that the petitioner can submit his written objections within two weeks from the date of receipt of the web copy of the order. Upon receipt thereof, let the objection be considered by the 2<sup>nd</sup> respondent and an order in writing be passed before proceeding further to carry out the eviction.



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4. The Writ petition stands disposed of accordingly. No costs.

Consequently, connected miscellaneous petition is closed.

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**[D.B.C., J.] & [R.P., J.]**  
**20.05.2026**

Index : No  
Neutral Citation : No  
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**D.BHARATHA CHAKRAVARTHY, J.**  
**and**  
**R.POORNIMA, J.**

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ORDER MADE IN  
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